

1 Carl L. Blumenstein (CA Bar No. 124158)
2 NOSSAMAN LLP
3 50 California Street, 34th Floor
4 San Francisco, CA 94111
5 Telephone: (415) 398-3600
6 Facsimile: (415) 398-2438
7 Email: cblumenstein@nossaman.com

5 || Defendants' Liaison Counsel

6 Philip J. Iovieno (admitted *pro hac vice*)
7 BOIES, SCHILLER & FLEXNER LLP
10 North Pearl Street, 4th Floor
Albany, NY 12207
8 Telephone: (518) 434-0600
Facsimile: (518) 434-0665
9 Email: piovieno@bsfllp.com

10 *Attorneys for Certain Plaintiffs and on Behalf of All Track
2 Plaintiffs*

16 IN RE: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

CASE NO. M:07-md-01827-SI

MDL NO. 1827

This Document Relates to:

CASE NOS. 3:10-cv-05458-SI;

20 | *SB Liquidation Trust v. AU Optronics Corp., et al.*, 3:10-cv-05458-SI

CASE NOS. 3:10-cv-05458-SI;
3:11-cv-0829-SI; 3:11-cv-02225-SI;
3:11-cv-02495-SI; 3:11-cv-03763-SI;
3:11-cv-03856-SI; 3:11-cv-04119-SI;
3:11-cv-05765-SI; 3:11-cv-05781-SI;
3:11-cv-06241-SI 3:12-cv-01426-SI;
3:10-cv-05625-SI; 3:10-CV-03205 SI

21 | MetroPCS Wireless, Inc. v. AU Optronics Corp., et al., 3:11-cv-00829-SI

**STIPULATION AND [PROPOSED]
ORDER REGARDING SUMMARY
JUDGMENT SCHEDULE**

24 ||| *Jaco Electronics, Inc. v. AU Optronics Corp., et al.*, 3:11-cv-02495-SI

1 *Interbond Corp. of America v. AU Optronics*
2 *Corp., et al.*, 3:11-cv-03763-SI
3
4 *Schultze Agency Services, LLC, on behalf of*
5 *Tweeter Opco, LLC and Tweeter Newco, LLC,*
6 *v. AU Optronics Corp., et al.*,
7 3:11-cv-03856-SI
8
9 *P.C. Richard & Son Long Island Corp., et al.*
10 *v. AU Optronics Corp., et al.*, 3:11-cv-04119-
11 SI
12
13 *Tech Data Corp., et al. v. AU Optronics Corp.,*
14 *et al.*, 3:11-cv-05765-SI
15
16 *The AASI Creditor Liquidating Trust, by and*
17 *through Kenneth A. Welt, Liquidating Trustee*
18 *v. AU Optronics Corp., et al.*, 3:11-cv-05781-
19 SI
20
21 *CompuCom Systems, Inc. v. AU Optronics*
22 *Corp., et al.*, 3:11-cv-06241-SI
23
24 *NECO Alliance LLC v. AU Optronics Corp., et*
25 *al.*, 3:12-cv-01426-SI
26
27 *Alfred H. Siegel, as Trustee of the Circuit City*
28 *Stores, Inc. Liquidating Trust v. AU Optronics*
29 *Corp., et al.*, 3:10-cv-05625-SI
30
31 *Tracfone Wireless, Inc. v. AU Optronics*
32 *Corporation, et al.*, 3:10-cv-03205 SI

18
19 Plaintiffs in the above-captioned cases, which exclude the *State of Oregon* case and the
20 *Hewlett-Packard* case (collectively, “Track 2 Cases”) and Defendants in the Track 2 Cases
21 (collectively, the “Parties”) hereby stipulate as follows:

22 WHEREAS the Parties have met and conferred regarding the Proposed List of Summary
23 Judgment Motions and Schedule;

24 WHEREAS the Parties continue to negotiate stipulations that, if executed, would result in
25 resolving or limiting some of the summary judgment motions listed below;

26 WHEREAS the Parties have agreed to set a schedule for certain summary judgment
27 motions; and

28

1 WHEREAS the Parties have also met and conferred regarding a schedule for *Daubert*
 2 motions;

3 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED between the
 4 Parties, and subject to the availability and concurrence of the Court, that the Track 2 cases will
 5 adopt the following schedule for summary judgment motions in Track 2:

Phase 1	Date
Last day to file Phase 1 dispositive motions	March 18, 2014
Last day to file oppositions to Phase 1 dispositive motions	April 29, 2014
Last day to file reply briefs in support of Phase 1 dispositive motions	June 10, 2014
Hearing on Phase 1 dispositive motions	June 27, 2014
Phase 2	
Last day to file Phase 2 dispositive motions	May 1, 2014
Last day to file oppositions to Phase 2 dispositive motions	June 12, 2014
Last day to file reply briefs in support of Phase 2 dispositive motions	July 24, 2014
Hearing on Phase 2 dispositive motions	August 8, 2014
Phase 3	
Last day to file Phase 3 dispositive motions	June 2, 2014
Last day to file oppositions to Phase 3 dispositive motions	July 14, 2014
Last day to file reply briefs in support of Phase 3 dispositive motions	August 25, 2014
Hearing on Phase 3 dispositive motions	September 12, 2014

21 IT IS FURTHER STIPULATED among the Parties, and subject to the concurrence of the
 22 Court, that the following summary judgment topics identified by the Defendants will be in Phase
 23 1:

- 24 1. Certain of Plaintiffs' state-law claims should be dismissed on choice of law and/or due
 25 process grounds.
- 26 2. Plaintiffs seek damages based on purchases of LCD Products containing LCD Panels
 27 that were not manufactured by Defendants or alleged co-conspirators.

- 1 3. Plaintiffs' claims and alleged damages relating to "lost sales" are barred because
- 2 Plaintiffs have failed to provide evidence from which they could establish damages
- 3 based on "lost sales."
- 4 4. Plaintiffs cannot recover from purported conspirators or for claims based on sales by
- 5 purported conspirators they did not identify in relevant discovery responses and/or
- 6 which their experts did not analyze.
- 7 5. Plaintiffs lack antitrust standing under Associated General Contractors.
- 8 6. AASI is barred from seeking damages for purchases for which it cannot prove that it
- 9 paid.

10 IT IS FURTHER STIPULATED among the Parties, and subject to the concurrence of the
11 Court, that the following summary judgment topics identified by Defendants will be in Phase 2:

- 12 1. Certain of Plaintiffs' state-law claims should be dismissed because the plaintiffs do
- 13 not satisfy one or more elements of the claim or are not entitled to any available
- 14 remedy.
- 15 2. Plaintiffs cannot recover for claims for purchases of STN-LCD panels.
- 16 3. Plaintiffs' claims against certain Defendants are barred because those Defendants did
- 17 not participate in a price-fixing conspiracy with respect to small, medium and/or large
- 18 panels.
- 19 4. Certain plaintiffs have failed to bring certain claims within the applicable limitations
- 20 period.
- 21 5. TracFone cannot recover for damages exceeding the amount of any overcharge.
- 22 6. TracFone's purchases from LG Electronics should be dismissed.

23 IT IS FURTHER STIPULATED among the Parties, and subject to the concurrence of the
24 Court, that the following summary judgment topics identified by Defendants will be in Phase 3:

- 25 1. Certain of Plaintiffs' alleged damages are barred because they successfully passed
- 26 through to their customers any alleged overcharge on purchases of LCD Products.
- 27 2. Certain alleged co-conspirators did not participate in the price-fixing conspiracy
- 28 plaintiffs allege and purchases from these entities cannot be included in plaintiffs'

1 damages. Defendants will not raise this motion as to Fujitsu.

- 2 3. Plaintiffs cannot prove that Toshiba participated in the alleged price-fixing conspiracy
3 or can be held liable for the acts of others, or plaintiffs cannot prove that certain
4 defendants participated in the alleged “crystal conspiracy” or in any “overarching” or
5 multilateral conspiracy comparable to the “crystal conspiracy.”
6 4. Certain plaintiffs’ federal claims are barred because they lack standing pursuant to
7 Illinois Brick Co. v. Illinois, 431 U.S. 720 (1977). This motion is limited to arguments
8 that (1) SB Trust, MARTA, AASI and NECO do not have standing to bring Sherman
9 Act I Clayton Act claims under Illinois Brick, and (2) plaintiffs cannot prove
10 ownership and control over certain entities.
11 5. All of Plaintiffs' claims against the Toshiba entities should be dismissed because they
12 are precluded by the judgment in *Best Buy Co., Inc. v. Toshiba Corp.*, Case No. 12-cv-
13 4114.

14 IT IS FURTHER STIPULATED among the Parties, and subject to the concurrence of the
15 Court, that the following summary judgment topics identified by Plaintiffs will be in Phase 3:

- 16 1. Certain Defendants participated in and/or are liable for the alleged conspiracy.
17 2. Certain of Plaintiffs' alleged damages are allowable because Plaintiffs purchased LCD
18 Products from certain alleged affiliates of Defendants and co-conspirators, and such
19 alleged affiliates are owned or controlled by a Defendant or co-conspirator.

20 IT IS FURTHER STIPULATED among the Parties that the Parties will conclude
21 negotiations regarding and file stipulations regarding resolution or narrowing of any of the above
22 summary judgment motions no later than February 18, 2014;

23 IT IS FURTHER STIPULATED among the Parties, and subject to the concurrence and
24 availability of the Court, that the following schedule will apply to any *Daubert* motions filed by
25 Defendants as to Plaintiffs' experts Dr. Bernheim, Dr. Marx, Dr. Fontecchio, and Mr. Stowell:
26
27
28

1	Last day to hold depositions of Dr. Bernheim, Dr. Marx, Dr. Fontecchio, and Mr. Stowell	May 5, 2014
2	Last day to file <i>Daubert</i> motions	May 29, 2014
3	Last day to file oppositions to <i>Daubert</i> motions	July 10, 2014
4	Last day to file reply briefs in support of <i>Daubert</i> motions	August 21, 2014
5	Hearing on <i>Daubert</i> motions	September 5, 2014

7 IT IS FURTHER STIPULATED among the Parties, and subject to the concurrence and
 8 availability of the Court, that the following schedule will apply to any *Daubert* motion as to any
 9 Track 2 expert except for Dr. Bernheim, Dr. Marx, Dr. Fontecchio, and Mr. Stowell:

10	Last day to file <i>Daubert</i> motions	July 29, 2014
11	Last day to file oppositions to <i>Daubert</i> motions	September 9, 2014
12	Last day to file reply briefs in support of <i>Daubert</i> motions	October 21, 2014
13	Hearing on <i>Daubert</i> motions	November 7, 2014

14 Notwithstanding the schedule above, the Parties agree that any *Daubert* motion that
 15 regards any expert appearing only in a single case that will be remanded to a transferor court for
 16 trial purposes will be heard by that transferor court.

17
 18 Dated: January 28, 2014

Respectfully submitted,

19
 20
 21
 22
 23
 24
 25
 26
 27
 28

1 By: /s/ Jerome A. Murphy

2 Jeffrey H. Howard (*pro hac vice*)
3 Jerome A. Murphy (*pro hac vice*)
4 CROWELL & MORING LLP
5 1001 Pennsylvania Avenue, N.W.
6 Washington, DC 20004
7 Telephone: (202) 624-2500
8 Facsimile: (202) 628-5116
9 Email: jhoward@crowell.com
jmurphy@crowell.com

10 Jason C. Murray (CA Bar No. 169806)
11 Janet I. Levine (CA Bar No. 94255)
12 Joshua C. Stokes (CA Bar No. 220214)
13 CROWELL & MORING LLP
14 515 South Flower Street, 40th Floor
15 Los Angeles, CA 90071
16 Telephone: (213) 622-4750
17 Facsimile: (213) 622-2690
18 Email: jmurray@crowell.com
jlevine@crowell.com
jstokes@crowell.com

19 Kenneth L. Adams (*pro hac vice*)
20 R. Bruce Holcomb (*pro hac vice*)
21 Christopher T. Leonardo (*pro hac vice*)
22 ADAMS HOLCOMB LLP
23 1875 Eye Street NW
24 Washington, DC 20006
25 Telephone: (202) 580-8822
Facsimile: (202) 580-8821
Email: adams@adamsholcomb.com
holcomb@adamsholcomb.com
leonardo@adamsholcomb.com

26 *Attorneys for Plaintiffs Jaco Electronics, Inc. and*
27 *Rockwell Automation, Inc., and Plaintiffs' Liaison*
28 *Counsel*

By: /s/ Philip J. Iovieno

21 William Isaacson (admitted *pro hac vice*)
22 Melissa Felder (admitted *pro hac vice*)
23 BOIES, SCHILLER & FLEXNER LLP
24 5301 Wisconsin Avenue NW, Suite 800
Washington, DC 20015
Telephone: (202) 237-2727
Facsimile: (202) 237-6131
Email: wisaacson@bsflp.com
mfelder@bsflp.com

1 Philip J. Iovieno (admitted *pro hac vice*)
2 Anne M. Nardacci (admitted *pro hac vice*)
3 Luke Nikas (admitted *pro hac vice*)
4 Christopher Fenlon (admitted *pro hac vice*)
5 BOIES, SCHILLER & FLEXNER LLP
6 10 North Pearl Street, 4th Floor
7 Albany, NY 12207
8 Telephone: (518) 434-0600
9 Facsimile: (518) 434-0665
10 Email: piovieno@bsflp.com
11 anardacci@bsflp.com
12 lnikas@bsflp.com
13 cfenlon@basflp.com

14 *Attorneys for Plaintiffs MetroPCS Wireless, Inc.;*
15 *Office Depot, Inc.; Interbond Corp. of America;*
16 *Schultze Agency Services, LLC; P.C. Richard & Son*
17 *Long Island Corporation; MARTA Cooperative of*
18 *America, Inc.; ABC Appliance Inc.; Tech Data Corp.*
19 *and Tech Data Product Management, Inc.; The AASI*
20 *Creditor Liquidating Trust; CompuCom Systems, Inc.;*
21 *and NECO Alliance LLC*

22 By: _____ /s/ Robert W. Turken _____
23 Robert W. Turken
24 Mitchell E. Widon
25 Scott N. Wagner
26 BILZIN SUMBERG BAENA PRICE & AXELROD
27 LLP
28 1450 Rickell Avenue, Suite 2300
Miami, FL 33131-3456
Telephone: (305) 374-7580
Facsimile: (305) 374-7593
Email: rturken@bilzin.com
mwidom@bilzin.com
swagner@bilzin.com

29 *Attorneys for Plaintiffs Tech Data Corp. and Tech*
30 *Data Product Management, Inc. and The AASI*
31 *Creditor Liquidating Trust*

1 By: /s/ H. Lee Godfrey

2 H. Lee Godfrey
3 Kenneth S. Marks
4 Jonathan J. Ross
5 Johnny W. Carter
6 SUSMAN GODFREY L.L.P.
7 1000 Louisiana Street, Suite 5100
8 Houston, TX 77002
9 Telephone: (713) 651-9366
10 Facsimile: (713) 654-6666
11 Email: lgodfrey@susmangodfrey.com
12 kmarks@susmangodfrey.com
13 jross@susmangodfrey.com
14 jcarter@susmangodfrey.com

15 Parker C. Folse III
16 Rachel S. Black
17 Jordan Connors
18 SUSMAN GODFREY L.L.P.
19 1201 Third Avenue, Suite 3800
20 Seattle, WA 98101-3000
21 Telephone: (206) 516-3880
22 Facsimile: (206) 516-3883
23 Email: pfolse@susmangodfrey.com
24 rblack@susmangodfrey.com
25 jconnors@susmangodfrey.com

26 *Attorneys for Plaintiff Alfred H. Siegel, as Trustee of*
27 *the Circuit City Stores, Inc. Liquidating Trust*

1 By: /s/ Marc M. Seltzer
2 Marc M. Seltzer (54534)
3 Steven G. Sklaver (237612)
4 SUSMAN GODFREY LLP
5 1901 Avenue of the Stars, Suite 950
6 Los Angeles, CA 90067-6029
7 Telephone: (310) 789-3100
8 Facsimile: (310) 789-3150
9 Email: mseltzer@susmangodfrey.com
ssklaver@susmangodfrey.com

10 Erica W. Harris
11 SUSMAN GODFREY LLP
12 1000 Louisiana, Suite 5100
13 Houston, TX 77002-5096
14 Telephone: (713) 651-9366
15 Facsimile: (713) 654-6666
16 Email: eharris@susmangodfrey.com

17 *Attorneys for SB Liquidation Trust*

18 By: /s/ James B. Baldinger
19 James B. Baldinger
20 Florida Bar No.: 869899
jbalddinger@carltonfields.com
Robert L. Ciotti
Florida Bar No.: 333141
rciotti@carltonfields.com
David B. Esau
Florida Bar No.: 650331
desau@carltonfields.com
CARLTON FIELDS, P.A.
CityPlace Tower – Suite 1200
525 Okeechobee Boulevard
West Palm Beach, Florida 33401
Telephone: (561) 659-7070
Facsimile: (561) 659-7368

21 *Counsel for TracFone Wireless, Inc.*

1 By: /s/ Lee F. Berger

2 Holly A. House (State Bar No. 136045)
3 Kevin C. McCann (State Bar No. 120874)
4 Lee F. Berger (State Bar No. 222756)
5 Sean Unger (State Bar No. 231694)
6 PAUL HASTINGS LLP
7 55 Second Street
8 Twenty-Fourth Floor
9 San Francisco, CA 94105
10 Telephone: (415) 856-7000
11 Facsimile: (415) 856-7100
12 Email: kevinmccann@paulhastings.com
13 hollyhouse@paulhastings.com
14 leeberger@paulhastings.com
15 seanunger@paulhastings.com

16 Brad D. Brian (State Bar No. 079001)
17 Jerome C. Roth (State Bar No. 159483)
18 MUNGER, TOLLES & OLSON LLP
19 355 South Grand Avenue
20 Los Angeles, CA 90071-1560
21 Telephone: (213) 683-9100
22 Facsimile: (213) 687-3702
23 Email: Brad.Brian@mto.com

24 *Attorneys for Defendants LG Display Co., Ltd. and LG
25 Display America, Inc.*

26 By: /s/ Stephen P. Freccero

27 Melvin R. Goldman (SBN 34097)
28 Stephen P. Freccero (SBN 131093)
Derek F. Foran (SBN 224569)
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105
Telephone: (415) 268-7000
Facsimile: (415) 268-7522
Email: mgoldman@mofo.com
sfreccero@mofo.com
dforan@mofo.com

29 *Attorneys for Defendants Epson Imaging Devices
30 Corporation and Epson Electronics America, Inc.*

1 By: /s/ Carl L. Blumenstein
2 Carl L. Blumenstein (State Bar No. 124158)
3 Christopher A. Nedeau (State Bar No. 81297)
4 Farschad Farzan (State Bar No. 215194)
5 NOSSAMAN LLP
6 50 California Street, 34th Floor
7 San Francisco, CA 94111
8 Telephone: (415) 398-3600
9 Facsimile: (415) 398-2438
10 Email: cnedea@nossaman.com
11 cblumenstein@nossaman.com
12 ffarzan@nossaman.com

13 *Attorneys for Defendants AU Optronics Corporation*
14 *and AU Optronics Corporation America*

15 By: /s/ Christopher M. Curran
16 Christopher M. Curran (*pro hac vice*)
17 Martin M. Toto (*pro hac vice*)
18 John H. Chung (*pro hac vice*)
19 WHITE & CASE LLP
20 1155 Avenue of the Americas
21 New York, NY 10036
22 Telephone: (212) 819-8200
23 Facsimile: (212) 354-8113
24 Email: ccurran@whitecase.com
25 mtoto@whitecase.com
26 jchung@whitecase.com

27 *Attorneys for Toshiba Corporation, Toshiba Mobile*
28 *Display Co., Ltd., Toshiba America Electronic*
29 *Components, Inc. and Toshiba America Information*
30 *Systems, Inc.*

1 By: /s/ Neal A. Potischman

2 Neal A. Potischman (SBN 254862)
neal.potischman@davispolk.com
3 DAVIS POLK & WARDWELL LLP
1600 El Camino Real
Menlo Park, California 94025
Telephone: (650) 752-2000
Facsimile: (650) 752-2111

4
5
6 *Counsel for Chi Mei Optoelectronics Corporation*
(n/k/a Innolux Corporation), CMO Japan Co., Ltd.,
and Chi Mei Optoelectronics USA, Inc. for the Office
Depot, Inc., Interbond Corp. of America, Schultze
Agency Services, LLC, P.C. Richard & Son Long
Island Corp., et al., Tech Data Corp., et al., The AASI
Creditor Liquidating Trust, CompuCom Systems, Inc.,
and NECO Alliance LLC Actions Only

7
8
9
10 /s/ Michael R. Scott

11 Michael R. Scott (pro hac vice)
mrs@hcmp.com
12 Michael J. Ewart (pro hac vice)
mje@hcmp.com
13 HILLIS CLARK MARTIN & PETERSON P.S.
1221 Second Avenue, Suite 500
14 Seattle, WA 98101-2925
Telephone: (206) 623-1745
15 Facsimile: (206) 623-7789

16 *Counsel for Chi Mei Optoelectronics Corporation*
(n/k/a Innolux Corporation), CMO Japan Co., Ltd.,
and Chi Mei Optoelectronics USA, Inc. for the
MetroPCS Wireless, Inc. Action Only

17
18 By: /s/ William S. Farmer

19 William S. Farmer (SBN 46694)
David C. Brownstein (SBN 141929)
Jacob P. Alpren (SBN 235713)
Farmer Brownstein Jaeger LLP
235 Pine Street, Suite 1300
22 San Francisco, CA 94104
Telephone: (415) 795-2050
Email: wfarmert@fbj-law.com
dbrownstein@fbj-law.com
jalpren@fbj-law.com

23
24
25 *Counsel for Chunghwa Picture Tubes, Ltd. in the*
MetroPCS Wireless Action Only

1 By: /s/ Rachel S. Brass
2 Rachel S. Brass (SBN 219301)
3 Joel S. Sanders (SBN 107234)
4 Austin V. Schwing (SBN 211696)
5 GIBSON, DUNN & CRUTCHER LLP
6 555 Mission Street, Suite 3000
7 San Francisco, California 94105
8 (415) 393-8200 / (415) 393-8306
9 *jsanders@gibsondunn.com*
rbrass@gibsondunn.com

10 *Attorneys for Defendants Chunghwa Picture Tubes,
11 Ltd. in the Office Depot, Jaco Electronics, TracFone,
12 Interbond, Schultze Agency Services, PC Richard,
13 Tech Data, AASI Creditor Liquidating Trust, and
14 CompuCom Actions Only*

15 By: /s/ Harrison J. Frahn IV
16 James G. Kreissman (SBN 206740)
17 Harrison J. Frahn IV (SBN 206822)
18 Jason M. Bussey (SBN 227185)
19 Elizabeth A. Gillen (SBN 260667)
20 Melissa D. Schmidt (SBN 266487)
21 SIMPSON THACHER & BARTLETT LLP
22 2475 Hanover St.
23 Palo Alto, California 94304
24 Telephone: (650) 251-5000
25 Facsimile: (650) 251-5001
26 *jkreissman@stblaw.com*
hfrahn@stblaw.com
jbussey@stblaw.com
egillen@stblaw.com
melissa.schmidt@stblaw.com

27 *Attorneys for Defendant HannStar Display
28 Corporation*

29 By: /s/ Jacob R. Sorensen
30 Jacob R. Sorensen (SBN 209134)
31 John M. Grenfell (SBN 88500)
32 Fusae Nara (*pro hac vice*)
33 Andrew D. Lanphere (SBN 191479)
34 PILLSBURY WINTHROP SHAW PITTMAN LLP
35 Four Embarcadero Center, 22nd Floor
36 San Francisco, CA 94111
37 Telephone: (415) 983-1000
38 Facsimile: (415) 983-1200
39 Email: *john.grenfell@pillsburylaw.com*
jake.sorensen@pillsburylaw.com
fusae.nara@pillsburylaw.com
andrew.lanphere@pillsburylaw.com

1 By: /s/ Michael W. Scarborough
2 Michael W. Scarborough (SBN 203524)
3 SHEPPARD MULLIN RICHTER & HAMPTON
4 Four Embarcadero Center, 17th Floor
5 San Francisco, CA 94111
6 Telephone: (415) 434-9100
7 Facsimile: (415) 434-3947
8 Email: mscarborough@sheppardmullin.com

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attorneys for Defendants Samsung SDI America, Inc.
and Samsung SDI Co., Ltd.

By: /s/ Kent M. Roger
Kent M. Roger (Bar No. 95987)
MORGAN LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, CA 94105-1126
Telephone: (415) 442-1000
Facsimile: (415) 442-1001
Email: kroger@morganlewis.com

Attorneys for Defendants Hitachi, Ltd., Hitachi
Displays, Ltd. (n/k/a Japan Display Inc.) and Hitachi
Electronic Devices (USA), Inc.

By: /s/ Stephen Holbrook Sutro
George Dominic Niespolo
Stephen Holbrook Sutro
DUANE MORRIS LLP
One Market , Spear Tower, Suite 2200
San Francisco, CA 94105
Telephone: (415) 957-3010
Facsimile: (415) 957-3001
Email: gdniespolo@duanemorris.com
shsutro@duanemorris.com

Attorneys for NEC Corporation, NEC LCD
Technologies, Ltd., and Renesas Electronics America,
Inc.

1 Pursuant to General Order No. 45, § X-B, the filer attests that concurrence in the filing of this
2 document has been obtained from each of the above signatories.

3 **IT IS SO ORDERED.**

4

5

6 Dated: 1/28/14

7

8

9

LEGAL_US_W # 77542011

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28



Hon. Susan Illston
United States District Judge